

## NURSES ACT, 1943.

### PREAMBLE.

On April 22nd, 1943, "The Nurses Act, 1943" became law—"by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled," and we have no hesitation in stating that no more unjust and demoralising Act has ever been placed on the Statute Book of these Realms since the Slave Laws in past centuries, all of which were annulled in the year 1834 at the cost to the nation of twenty million pounds.

The Nurses Act is demoralising because it was confidentially drafted by the Minister of Health, without due publicity and without consultation with the 100,000 Registered Nurses, whose privileges under the original Nurses' Registration Act of 1919 it undermines, and because their property and, maybe, their financial assets it commandeers. We deny the ethical right of the Minister of Health to promote contentious legislation in the midst of war, when thousands of Registered Nurses are serving their country, maybe to the death—or his right to use their property, and maybe cash, in promoting the de-grading of nursing standards and efficiency through their governing body, the General Nursing Council for England and Wales, which body, we contend, is primarily to blame for consenting *in camera* to deprive us of the self-government we as its constituency enjoyed under the original Act.

But when all is said and done, the Minister of Health found ready tools to hand in support of his policy to assume almost absolute power over our rights and privileges, in the Association of Hospital Matrons, and in Lord Horder's Reconstruction Committee of the Royal College of Nursing. Hustled by false promises, many members of the latter clamoured to the last moment for a closed profession of nursing (the majority of whom do not know what it means!). They evidently failed to grasp that Mr. Ernest Brown, Minister of Health, realised that such an unconstitutional demand would wreck his Nurses Bill, through which he has obtained almost absolute power over the profession of nursing (of which he has practically no expert experience whatever), for future use in his national health policy.

It is one thing to dominate a misguided rabble of ignorant women, but quite another to trample on the obstinate ingrained instinct for freedom of the average man in his own home. A closed profession of either Medicine or Nursing means tyrannical control by ignorant politicians of personal privacy, of which the Nurses Act, 1943, is sufficiently evident.

## THE NURSES ACT, 1943.

### ARRANGEMENT OF SECTIONS.

PART I.—ENROLMENT OF ASSISTANT NURSES.

PART II.—AGENCIES FOR THE SUPPLY OF NURSES.

PART III.—MISCELLANEOUS AND GENERAL.

An Act to provide for the enrolment of Assistant Nurses for the sick, to restrain the use of the name or title of nurse, to regulate Agencies for the supply of nurses for the sick and to amend the Nurses Registration Act, 1919.

#### Part I.

##### Enrolment of Assistant Nurses.

Provides for the enrolment of women nursing the sick without efficient training or examination, of which it is stated there are some 16,000 so employed, and that it shall be the duty of the General Nursing Council for England and Wales to form and keep the Roll at the Headquarters of highly qualified Registered Nurses, for which they have paid. After two years' grace, assistant nurses shall give evidence of prescribed training and experience in an institution approved by the Council.

3. There shall be a Committee, to be called the Assistant Nurses Committee, to deal with any matter which wholly or mainly concerns assistant nurses, composed of six persons appointed by the Council, but at least one of them shall not be a registered nurse, and five by the Minister of Health.

Any person aggrieved by removal of his name from the Roll may appeal to the High Courts, and any person aggrieved by the refusal of the Council to approve an institution for the purpose of training may appeal against refusal to the Minister . . . who shall give such directions as he thinks proper, and the Council shall comply with any directions so given.

#### Finance. Fees.

Clause 4:—Finance, which was never under discussion in detail in Parliament, provides:—

4. (1) There shall be paid to the Council in respect of every application to be examined or to be enrolled under this Act, and in respect of the retention in any year of the name of any person on the Roll, such fees respectively as the Council may, with the approval of the Minister, from time to time determine.

Provided that:—

(a) In the case of an existing assistant nurse's application, the amount of the fee payable on the application shall be such sum, not exceeding one guinea, as the Council, with such approval as aforesaid, may determine; and

(b) the amount of fee payable in respect of the retention in any year of the name of any person on the Roll shall not exceed 2s. 6d.

6. As from such date as the Minister may by order direct, any person who, not being registered or enrolled, uses the title of nurse, shall be liable, on summary conviction, to a fine of £10, and, if repeated, of £50.

(a) Nothing in this sub-section shall prevent a children's nurse from using the name of nurse.

(b) The Minister may authorise the use either generally or by specified classes of persons or in specified circumstances, of specified names or titles containing the word nurse or of the word nurse otherwise qualified in accordance with the regulations," and so on . . . if found guilty of a misdemeanour, he shall, on conviction thereof, be liable to a fine not exceeding £100!!! And so on *ad infinitum*.

Thus the Minister of Health has provided himself with absolute power to define who is a nurse and who is not!

#### Part II.

##### Agencies for the Supply of Nurses.

Legislation has long been necessary for the organisation of agencies providing nurses to the public on hire—owing to the irresponsibility of many so-called "Co-operations" which supply untrained and semi-trained so-called nurses. But this contentious legislation should not have been included in a Nurses Act because nurses have no control over their licencing whatever.

The Act provides: 7 (1). A person carrying on an agency for the supply of nurses shall, in carrying on that agency, only supply (a) registered nurses; (b) enrolled assistant nurses; (c) certified midwives; (d) such other classes of persons as may be prescribed—(presumably by the Minister of Health), as he has taken power "to make regulations for prescribing anything which under this Part of this Act is to be prescribed"!

##### Licensing Authorities.

8. The expression Licensing Authority means, in relation to the City of London, the Common Council; in relation to the remainder of the Administrative County of London, the London County Council; and in relation to any other county or any county borough, the Council of that county or borough.

12 (1). The foregoing provisions (a long list) of this Part of the Act shall not apply to any agency for the

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